

OCT 24 2007

PTO/SB/04 (10-07)

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	<b>Docket Number (Optional)</b> 16869S-095400US
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First named inventor: Hisae Shibuya

Application No.: 10/672,010 Art Unit: 2624

Filed: September 25, 2003 Examiner: Alex Kok Soon Liew

Title: Method and Apparatus for Analyzing Defect Data and a Review System

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (571) 273-8300

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity — fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity — fee \$ 1540 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment (identify type of reply):

☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.

(Page 1 of 2)

10/26/2007 HDESTA1 00000018 201430 10672010

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## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).4. ☒ For fees authorized to be paid hereinabove, the Commissioner is hereby authorized to charge the fees, any deficiency of fees, and credit of any overpayments, to Deposit Account No. 20-1430.5. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (II)(C) and (D)).]**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
Signature

October 24, 2007

Date

George B. F. Yee

Typed or printed name

37,478

Registration Number, if applicable

Two Embarcadero Center, Eighth Floor

Address

650-326-2400

Telephone Number

San Francisco, California 94111-3834

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

October 24, 2007

Date

Signature

Cynthia McKinley

Typed or printed name of person signing certificate

**RECEIVED  
CENTRAL FAX CENTER****PATENT**  
Docket No.: 16869S-095400US  
Client Ref. No.: W1204-1

OCT 24 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Hisae SHIBUYA, et al.

Application No.: 10/672,010

Filed: September 25, 2003

For: METHOD AND APPARATUS FOR  
ANALYZING DEFECT DATA AND A  
REVIEW SYSTEM

Confirmation No.: 7689

Examiner: Alex Kok Soon Liew

Art Unit: 2624

STATEMENT IN SUPPORT OF  
PETITION TO REVIVE  
UNINTENTIONALLY ABANDONED  
APPLICATIONCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

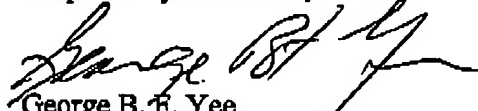
On March 6, 2007, an Office action for the above-captioned application was mailed.

On July 6, 2007 a response to the Office action was filed in the PTO. The response included an Amendment, Petition for Extension of Time, certified copy of Japanese Patent Application, Transmittal Form, and Postcard (copies of these documents are provided as an attachment, submitted herewith as Exhibit A).

Due to a typographical error in the application number, the documents were inadvertently filed in Application No. 10/672,101, instead of the correct application number captioned above.

In addition, Applicants request the foregoing documents be moved to Application No. 10/672,010, filed September 25, 2003.

Respectfully submitted,

  
George B. F. Yee  
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GBFY:cmm  
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## EXHIBIT A

**RECEIVED**  
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OCT 24 2007

**FILING ACKNOWLEDGMENT**

Mailing Date: 7/2/07  
File No.: 16869S-095400US Attorney: GBFY:cmm  
Inventor(s): Hisae Shibuya et al.  
Title: Method and Apparatus for Analyzing Defect Data and A Review System

Re: Application No. 10/672,101; Filing Date: September 25, 2003

**Enclosed:** Transmittal Form, Amendment, Petition for Extension of Time,  
Certified copy of Japanese Patent, and postcard.

Please stamp the date of receipt of the enclosed documents and return this card to addressee  
61091259 v1